

**BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

Meeting Date: October 19, 2005

Division: Growth Management

Bulk Item: Yes X No       

Department: Planning

**AGENDA ITEM WORDING:** Approval of a Resolution to allow sixteen thousand square feet of commercial floor area to be made available, in two allocations, for Year 14 Non-Residential Rate of Growth (NROGO) Annual Allocation.

**ITEM BACKGROUND:** The "maximum annual allocation" and the distribution between the first and second allocation dates are determined by the Board of County Commissioners, upon the recommendation of the Planning Director and the Planning Commission. NROGO does not require the second allocation (semi-annual) to be made. This provides flexibility in assuring that the goals of the ordinance are being accomplished. On September 14, 2005 the Planning Commission adopted the Planning Director's recommendation that 16,000 square feet of commercial floor area be made available for Year 14 NROGO allocation.

**PREVIOUS RELEVANT BOARD ACTION:** Board of County Commissioners approved Ordinance #032-2001 on September 19, 2001.

**CONTRACT/AGREEMENT CHANGES:** N/A.

**STAFF RECOMMENDATION:** Approval

**TOTAL COST:**       X      

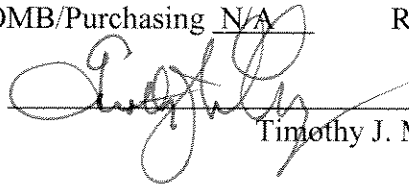
**BUDGETED:** Yes N/A No       

**COST TO COUNTY:**       N/A      

**REVENUE PRODUCING:** Yes N/A No        **AMOUNT PER MONTH** N/A **Year**       

**APPROVED BY:** County Atty X OMB/Purchasing N/A Risk Management N/A

**DIVISION DIRECTOR APPROVAL:**



Timothy J. McGarry, AICP

**DOCUMENTATION:** Included X

Not Required       

**DISPOSITION:**       

**AGENDA ITEM #**       



## **RESOLUTION NO. -05**

A RESOLUTION BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING FOR YEAR 14, FROM JULY 13, 2005 TO JULY 13, 2006, SIXTEEN THOUSAND SQUARE FEET OF NON-RESIDENTIAL FLOOR AREA TO BE AVAILABLE IN BIENNIAL ALLOCATIONS, THE FIRST ALLOCATION OF EIGHT-THOUSAND SQUARE FEET IN JANUARY 2006 AND THE REMAINDER TO BE HELD IN RESERVE FOR THE SECOND ALLOCATION IN JULY 2006, AND LIMITING ALLOCATIONS TO 2,500 SQUARE FEET OR LESS

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**WHEREAS**, Policy 101.3 of the Monroe County Year 2010 Comprehensive Plan (2010 Plan) requires Monroe County to regulate non-residential development to maintain a balance of land uses; and

**WHEREAS**, Monroe County Code, Section 9.5-124, Non-Residential Rate of Growth Ordinance (NROGO), provides for an allocation point system for non-residential floor area, which maintains a ratio of 239 square feet of non-residential floor area for each residential unit developed as required in the 2010 Plan; and

**WHEREAS**, Monroe County Code, Section 9.5-124.4, NROGO provides for a recommendation by the Planning Director, and the Planning Commission, to the Board of County Commissioners for the total amount of non-residential floor area which shall be made available for annual allocation and distribution of this allocation between small (2,500 square feet) and large size allocations; and

**WHEREAS**, there is approximately 67,000 square feet of commercial floor area available and additional square footage will be added proportionate to the residential allocations awarded for Year 13 and Year 14 residential ROGO; and

**WHEREAS**, the Monroe County Planning Commission during a regular meeting held on September 14, 2005, conducted a public hearing to review, discuss, and make formal motions regarding the Planning Director's recommendation to the Planning Commission for Year 14 commercial floor area; and

**WHEREAS**, the Monroe County Planning Commission adopted by Resolution PC 46-05 the Planning Director's recommendation that sixteen thousand square feet of commercial floor area be made available in two allocations of eight thousand (8,000) square feet, the first allocation in January

2006 and the second allocation in July 2006 and that awards be limited to 2,500 square feet, or less, of floor area; and

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA,** for Year 14 the NROGO allocation period that sixteen thousand (16,000) square feet of commercial floor area be made available in two allocations of eight thousand (8,000) square feet, the first allocation in January 2006 and the second allocation in July 2006 and that awards be limited to 2,500 square feet, or less, of floor area.

**PASSED AND ADOPTED** by the Planning Commission of Monroe County, Florida, at a regular meeting held on the 19th day of October, 2004.

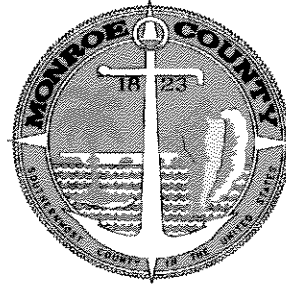
Mayor Dixie Spehar  
Mayor Pro Tem Charles "Sonny" McCoy  
Commissioner George Neugent  
Commissioner David P. Rice  
Commissioner Murray Nelson

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BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

BY \_\_\_\_\_  
Dixie Spehar, Mayor  
Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2005





# Memorandum

TO: Monroe County Board of County Commissioners  
FROM: K. Marlene Conaway, Director of Planning and Environmental Resources   
DATE: September 29, 2005  
RE: Non-Residential Floor Area Evaluation Report Year 14 (July 2005-July 2006)

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## Background

Monroe County Code, Section 9.5-124.4, NROGO Allocations sets forth the procedures to be followed in allocating the available non-residential floor area. The "maximum annual allocation" and the distribution between the first and second allocation dates will be determined by the Board of County Commissioners, upon the recommendation of the Planning Director and the Planning Commission. The ordinance does not require the second allocation (semi-annual) to be made. This will provide flexibility in assuring the goals of the ordinance are being accomplished.

The following is a summary of the square footage of commercial floor area that was made available for allocation, and the actual square footage allocated, from Year 10 through Year 13.

<u>YEAR</u>	<u>AMOUNT AVAILABLE</u>	<u>ALLOCATIONS AWARDED</u>
Year 10	22,150 square feet	18,222 square feet
Year 11	16,000 square feet	5,300 square feet
Year 12	16,000 square feet	15,689 square feet
Year 13	16,000 square feet	10,925 square feet

## Considerations

Several things need to be considered when determining the amount of non-residential floor area, which should be allocated annually. Following is a summary of some of the issues that should have a bearing on this decision:

1. The number of potential applicants for an upcoming year is unknown. At this time there is approximately 15,000 square feet of new commercial floor area under review. For the NROGO allocation point system and weighing criteria to be successful at directing development to the most appropriate locations, it is important to have competition for the available floor area.

2. In Year 13 the total floor area available for allocation was 16,000 square feet. The actual allocations made in this year total 10,925 square feet. The remaining 5,075 square feet is returned to the total amount of floor area available.
3. The F.A.C. Rule 28-10.100 has been approved, which will allow additional allocations of residential dwelling units for Year 13. Staff has included commercial square footage for Year 13 based on a conservative number of residential allocations. The number of residential allocations will increase for Year 13 and the corresponding amount of commercial square footage will be increased accordingly.
4. The Livable CommuniKeys Program Master Planning process has not identified areas for allocations greater than 2500 square feet.
5. Until the market study is complete, the extent of overall and planning area specific market demand for new non-residential development is unknown.

### **Recommendation**

The Planning Commission, at their meeting of September 14, 2005, reviewed the Planning Director's recommendation that 1) the maximum amount of available non-residential floor area is approximately 67,000 square feet, and the amount for the Year 14 NROGO allocation period, beginning July 2005 and ending July 2006, should be for 16,000 square feet. 2) Half the 16,000 square feet be allocated in the first period in January 2006 and the remainder held in reserve for the second allocation date of July 2006. 3) One hundred percent of the available floor area for each allocation period shall be for applications requesting 2,500 square feet or less.

**The Planning Commission adopted the Director of Planning's recommendation** to the Board of County Commissioners that the maximum amount of available non-residential floor area for the Year 14 NROGO should be for 16,000 square feet. In the first allocation 8,000 square feet would be available, and the remaining 8,000 square feet in the second allocation. These allocations would be limited to applications of 2,500 square feet or less.

**Therefore, the Planning Director and the Planning Commission recommend** that the 16,000 square feet of commercial floor area be made available in two allocations. The first allocation of 8,000 square feet would be in January 2006, and the remainder to be held in reserve for the second allocation period of July 2006. These allocations would be for limited to applications of 2,500 square feet or less.

Cc. Timothy McGarry, AICP, Director Growth Management Division